

11-13-06

BOX-Sequence

1643

JFV



Docket No.: NY-LUD 5353-US5-DIV  
(PATENT)

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Beatrice Gaugler et al.

Application No.: 09/579,543

Confirmation No.: 7364

Filed: May 26, 2000

Art Unit: 1643

For: ISOLATED NUCLEIC ACID MOLECULES  
CODING FOR TUMOR REJECTION  
ANTIGEN PRECURSOR MAGE-4 AND 41  
AND USES THEREOF

Examiner: A. M. Harris

**RESPONSE TO COMMUNICATION FROM THE EXAMINER**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

On November 7, 2006, applicants' undersigned representative received a telephone call from the Examiner in this case, followed by the communication, a copy of which is attached.

Everything in the Communication is correct; however, the Examiner neglected to note that, each time that this matter was discussed, applicants expressly requested copies of the materials now sent to them for the first time. They are entitled to do this, and to have their request honored.

It never was. Applicants representative notes the comments regarding "expeditious resolution," and point out that, had any one of their requests for "tangible evidence," as the Examiner refers to it, been honored, the current situation would not exist.

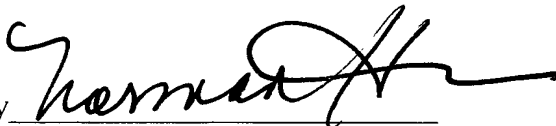
Attached is an amendment to resolve this issue. It is hoped that the USPTO's request for expeditious resolution extends to both parties.

Noting that the SPE was copied on the telefax of November 7, 2006, applicants have done the same.

Dated:

11/10/06

Respectfully submitted,

By 

Norman D. Hanson

Registration No.: 30,946

FULBRIGHT & JAWORSKI L.L.P.

666 Fifth Avenue

New York, New York 10103

(212) 318-3000

(212) 318-3400 (Fax)

Attorney for Applicant



Application No. (if known): 09/579,543

Attorney Docket No.: NY-LUD 5353-US5-DIV

## Certificate of Express Mailing Under 37 CFR 1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, Airbill No. EV 793665340 US in an envelope addressed to:

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

on Nov. 10, 2006  
Date

Fani Malikouzakis  
Signature

Fani Malikouzakis

Typed or printed name of person signing Certificate

Registration Number, if applicable

(212) 318-3220  
Telephone Number

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Amendment (2 pages)  
Response to Communication from the Examiner  
Copy of Communication  
Paper Copy of Sequence Listing  
Diskette Copy of Sequence Listing



Docket No.: NY-LUD 5353-US5-DIV  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

---

In re Patent Application of:  
Beatrice Gaugler et al.

Application No.: 09/579,543

Confirmation No.: 7364

Filed: May 26, 2000

Art Unit: 1643

For: ISOLATED NUCLEIC ACID MOLECULES  
CODING FOR TUMOR REJECTION  
ANTIGEN PRECURSOR MAGE-4 AND 41  
AND USES THEREOF

---

Examiner: A. M. Harris

**AMENDMENT**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Please amend this application as follows:

### **AMENDMENTS TO THE SEQUENCE LISTING**

Please replace the current paper copy of the sequence listing with the attached. The undersigned hereby declares that to the best of his knowledge, the computer readable form of sequence information and the paper copy submitted herewith are identical to each other, and to the information presented in the specification as filed. No new matter is believed presented.